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20 January 1970

MEMORANDUM FOR THE RECORD

SUBJECT: Legislative Activities - 91st Congress, First Session

1. Review of Legislation. One of the functions of the Office of Legislative Counsel is to screen legislation introduced into the Congress to identify measures of interest for appropriate action.

a. In this connection in excess of 21,000 bills and resolutions were introduced in the 91st Congress, First Session. Of these about 1,400 were the subject of committee reports and a smaller number were passed by either or both Houses.

b. In addition, we replied to three requests from congressional committees and thirteen requests from the Bureau of the Budget for Agency views on proposed legislation.

2. Retirement.

a. The Agency Retirement Act was once again an item of leading interest. A number of proposed amendments, many carried over from the 89th and 90th Congresses, were recommended by the Director of Personnel. Most of the

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proposed amendments merely bring our Act into line with post 1964 amendments to the Civil Service retirement system.

b. A draft amendment, which would permit the Director to adopt for the CIA system certain post 1964 amendments to the Civil Service system, thus avoiding the necessity of seeking specific amendments to the CIA Retirement Act to keep pace with the Civil Service system, was looked upon with favor by Roger Jones, Assistant Director (Personnel Policies), Bureau of the Budget. Mr. Jones initiated informal clearance within BOB and the Civil Service Commission. Senior staff members of our Committees recommended against this approach at the present time so we didn't push it.

c. Substantial liberalizing amendments were approved for the Civil Service system during the first session (the third successive Congress in which this has happened since passage of the CIA Act in 1964). In view of the overriding importance to the viability of the CIA system, we limited our legislative proposal to the identical amendments which had been approved

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by the 91st Congress for the Civil Service retirement system. Our proposal cleared the Bureau of the Budget on 23 October 1969, three days after the President had approved the Civil Service Retirement Act amendments; was the subject of hearings before the House Armed Services Committee (Committee staff member made the presentation) on 18 November 1969; was favorably reported the same date; and approved by the House on 1 December 1969. The bill was considered in executive session before the Senate Armed Services Committee (Committee staff member made the presentation) on 19 December and reported out; and then approved by the Senate on 22 December 1969. It was signed by the President on 30 December 1969 (P. L. 91-185).

d. In its clearance letter BOB imposed a requirement on the Agency to forward a plan on how the Agency proposed to fund "normal costs" and "unfunded liability" under the CIA retirement system. The report is due following completion of an actuarial study now in progress. It is possible that the Agency's report may involve a need for legislation. In addition to any such legislation, there is the question of other changes in the Act which the Director of Personnel probably will want to recommend.

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e. At the start of the 91st Congress HEW requested our comments for inclusion in a report for the House Ways and Means and Senate Finance Committees on the desirability of more closely relating Federal Staff Retirement systems to Social Security. We recommended that the CIA Retirement Act be included along with the Civil Service and Foreign Service retirement systems in the related legislative proposals--minimum guaranteed benefits and transfer of credit. This is now a dead issue as the result of comparable legislation approved for the Civil Service, CIA, and Foreign Service systems during the 91st Congress.

4. Unauthorized disclosure. The Agency, without attribution, floated a proposed amendment to the Internal Security Act to tighten up on the unauthorized disclosure of classified information. The proposal did get to the House Committee (Internal Security) having legislative jurisdiction, but as yet it has not been introduced in bill form.

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6. Joint Intelligence Committee. Three Joint Committee bills were introduced (fewer than in the past). None are active. Sponsors include old standbys Clement Zablocki (D., Wis.) and William F. Ryan (D., N. Y.) and newcomer Senator John G. Tower (R., Texas), whose bill embraces all areas of national security, including intelligence.

7. Funding of private organizations. Legislative interest in the funding of private organizations has abated somewhat. H.R. 591 by Ryan prohibits the Agency from contributing funds to domestic organizations and is bottled up in House Armed Services Committee. Ryan and Zablocki have introduced bills providing for an American Council for International Exchange and an Institute for International Affairs to promote private U.S. participation in international organizations and movements which were referred to the Foreign Affairs Committee.

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STATINTL Senator Ralph Yarborough (D., Texas) introduced a related bill which contains a provision against intelligence gathering which could effect the collection efforts of [REDACTED] During the 90th Congress, in connection with a similar bill, the Subcommittee staff felt that they could adjust the wording to meet our interest. Senator Peter H. Dominick (R., Colo.), who is on the Committee on Labor and Public Welfare which would consider the bill, volunteered to help us with the matter. None of the bills are active, however.

8. Congressional reform is not dead and with the advent of the computer it will be only a matter of time before a detailed study of the annual budget is within congressional capability. This area continues to be closely watched against the possibility of either penetrating the security of our appropriations procedures or impairing our existing statutory protection against budget disclosures.

9. Government procurement. A legislative item of long standing, a Government Procurement Commission was finally approved (P. L. 91-129). The Commission will investigate the procurement statutes and policies followed by all Government agencies and is authorized to acquire information from agencies "to the extent permitted by law."

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10. The Ervin bill relating to constitutional rights of Federal employees was once again introduced as S. 782 with 53 cosponsors. The bill is identical to S. 1035 as it passed the Senate during the 90th Congress with certain exemptions for CIA, NSA, and FBI on polygraph and psychological testing. Senator Ervin is having trouble getting the measure reported out of his own Subcommittee. In response to his request for such further modification as we might recommend, we sent him suggested amendments. No further word has been heard. On the House side Chairman Henderson is still friendly and says he will protect our interests.

11. Credit reports. A measure assuring rights to privacy in credit reporting procedures may pose a problem for Security in securing certain information now obtained from credit bureaus. Security is contacting FBI and Civil Service Commission for their position and is drawing up a recommended Agency position. The bill was reported out of Senate committee 5 November; passed the Senate the following day; and has been referred to House Banking and Currency Committee, but has not been assigned to a specific subcommittee.

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12. General. A number of inactive bills have been identified as being of potential interest to the Agency and are being watched.

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